



City of NORFOLK

C: Dir., Department of Public Works

To the Honorable Council
City of Norfolk, Virginia

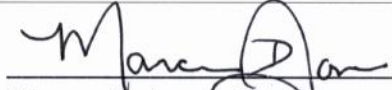
February 9, 2016

From: David Ricks, Director of Public Works

Subject: Acceptance of Virginia Brownfield Assistance Fund Grant of \$50,000 for Environmental Assessments

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: Ward 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-23**

- I. **Recommendation:** Adopt ordinance.
- II. **Applicant:** City of Norfolk
- III. **Description:**
This agenda item is an ordinance to accept a grant in the amount of \$50,000 from the Virginia Brownfield Assistance Fund for additional environmental assessments at the Harbor Park shoreline area.
- IV. **Analysis:**
This grant from the Virginia Economic Development Partnership ("VEDP") and the Virginia Department of Environmental Quality ("VDEQ") will be used in conjunction with similar federal funding to undertake environmental assessments at the Harbor Park shoreline and adjacent area. The grant will be administered by the Department of Public Works using existing staff.
- V. **Financial Impact:**
The matching fund requirements of this grant were met in previous fiscal years. The Virginia Brownfield Assessment Fund program allows grant recipients to go back up to ten years to document the local match.
- VI. **Environmental:**
There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification:

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action:

N/A

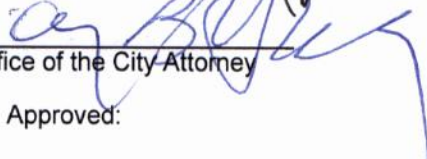
IX. Coordination/Outreach:

This letter has been coordinated with the City Attorney's Office, the Department of Development, the Department of Planning, the Department of Neighborhood Development, the Office of Intergovernmental Relations, the Office of Grants Management and the Department of Public Works.

Supporting Material from the Department of Public Works:

- Ordinance
- Grant Award Notification
- 2015 Grant Application

Form and Correctness Approved: 

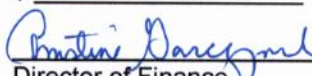
By 
Office of the City Attorney

Contents Approved:

By 
DEPT. Public Works

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

\$ 50,000.00 2275-10-9138


Director of Finance

Account
1/19/16
Date

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE ACCEPTING AND APPROPRIATING THE SUM OF \$50,000 FROM THE VIRGINIA BROWNFIELD ASSISTANCE FUND FOR ADDITIONAL ENVIRONMENTAL ASSESSMENTS AT HARBOR PARK AND SHORELINE AREA.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the sum of \$50,000 is hereby accepted, if and when the funds are made available from the Virginia Brownfield Assistance Fund for additional environmental assessments at Harbor Park and Shoreline area.

Section 2:- That the sum of \$50,000 is hereby appropriated, if and when the money is made available from the Virginia Brownfield Assistance Fund for additional environmental assessment at Harbor Park and Shoreline area and allocated when received.

Section 3:- That this ordinance shall be in effect from and after its adoption.

Applicant and Contact Information:

1) Name of Applicant and Federal ID Number

City of Norfolk, Virginia

Federal ID Number

2) Brief description of Applicant

Nearly 400 years of continuous redevelopment have made Norfolk expert at repurposing its limited land, leveraging both public and private investments in existing infrastructure. These include the world's largest naval installation, Virginia's largest and busiest port, active shipyards, heavy and light rail, robust maritime industries and waterfront recreation. Norfolk is friendly to our local environment with more than 45 registered LEED buildings as well as hotels, restaurants and attractions participating in the "Virginia Green" program. *USA Today* called Norfolk one of the Top 10 booming downtowns, recognizing a decades-long housing, retail and financial boom in Norfolk, and Norfolk is one of the top 10 markets for business relocation and expansion, according to *Expansion Management*.

Still, this city of 246,394 residents is the 13th most fiscally stressed locality in Virginia, and considered "high stress" by the state's Commission on Local Government. Nearly 15 percent of families in Norfolk are living below poverty level, and the City's overall unemployment rate is more than six percent. This results in a limited ability for Norfolk to draw on local revenues and other funding sources including borrowing.

3) Contact name, physical and e-mail addresses, and contact numbers

Contact name: Ron Williams, Deputy City Manager

Physical address: 810 Union Street, Suite 1100, Norfolk, VA 23510

Email address: Ron.Williams@norfolk.gov

Telephone: 757-664-4242

VBAF Grant Request

4) Amount requested from the VBAF (up to \$50,000): \$50,000

Total budget: \$635,754.50

Project or Phase of Work

5) Briefly describe the project or phase of work

Environmental site assessments and subsurface investigation are required to characterize the remainder of the Harbor Park shoreline site. Norfolk has assembled more than 35 acres surrounding the Harbor Park minor league baseball park, home of the Tides. Site assessments are complete on only part of the property, which has enormous development potential: this long-vacant site was second in the national competition for West Coast-based Stone Brewery, which also envisioned a beer garden and marina on the Elizabeth River shoreline. Additionally, the non-profit Elizabeth River Project has proposed locating its new headquarters here, pending restoration of the shoreline and improved drainage.

Norfolk's vision is to redevelop a 400-year-old, historically industrial, abandoned area of untapped potential along the Elizabeth River shoreline in an ecologically restorative way that anticipates sea level rise and improves the accessibility of public waterfront. This vision includes: extending the Elizabeth River Trail and esplanade, restoring the existing degraded shoreline behind Harbor Park, providing unobstructed water views and easy public access to the restored shoreline; and catalyzing beautifully designed, fully sustainable adjacent development.

Although Harbor Park stadium attracts more than 500,000 visitors annually for minor league baseball, this City-owned site remains a major undeveloped, under-utilized, prime waterfront property within walking distance of Norfolk's downtown and Civic Center. Once remediated and reused, this downtown site will catalyze revitalization that supports economic development, the environment and the community.

6) Describe the scope of work (200 words or less) (attach additional documentation as necessary)

To prepare the site for environmental restoration and economic revitalization, the scope of work for this phase of the project includes:

Asbestos survey of the former Hampton Roads Leasing Facility to evaluate if asbestos-containing material (ACM) that will require special handling, abatement and/or disposal is present in or on the building.

Phase 1 ESA for the approximately 36-acre Harbor Park and Shoreline area to identify any existing or potential environmental conditions that may be present or affect the property including records review, site reconnaissance, interviews and report.

Phase 2 ESA subsurface investigation as needed for the above properties to mitigate risks and confirm the presence of hazardous materials. The assessment may include: soil, water and air samples;

subsurface soil borings; groundwater monitoring well installation; vapor intrusion analysis; geophysical evaluations for buried tanks, utilities and drums; testing underground storage tanks; risk analysis and modeling; contaminant pathway evaluations

Phase 2 ESA subsurface investigation as recommended by Phase 1 ESA completed 9/5/2007 for the .56-acre Haynesworth properties at 1112-1114 Water Street.

7) Describe documented plans for the potential redevelopment and reuse of the property (100 words or less) (attach additional documentation as necessary)

Plans include regional sports development (*2000 Downtown Norfolk Update*), civic and mixed uses including waterfront residential (*Norfolk 2010*) and mixed use development with waterfront pedestrian paths (*Norfolk 2030*). The 2015 *Dutch Dialogues* recommended 'living with the water.' Taking advantage of riverfronts and stream alignments will improve water quality, reduce catastrophic/recurrent flooding and improve ecosystems and connectivity to adjacent neighborhoods, thus stimulating redevelopment, tax base and economic opportunities. The American Planning Association/Virginia reaffirmed this approach at its recent Community Planning Assistance Team activity. Norfolk's Phase 2 proposal to the HUD National Disaster Resilience Competition aims to implement these permanent, resilience-enhancing actions.

8) Briefly discuss the rationale behind the potential redevelopment and reuse of the property and its relationship to any local or regional economic development strategy, include any local or regional comprehensive plans (200 words or less)

Each modern concept has proposed the Harbor Park waterfront as a public amenity with a continuous, interconnected pedestrian path along the shoreline to spark private development.

Norfolk designated Harbor Park as a *Priority Target Area* for economic development, citing opportunities for mixed-use commercial, institutional and residential development supported by an unparalleled transportation network.

Norfolk's award-winning *PlaNorfolk 2030: The General Plan of Norfolk*, calls for extending the esplanade from Town Point Park to Harbor Park and ensuring that the design accommodates bicycles. Norfolk's *Recreation Master Plan*, too, emphasizes the need for an Urban River Trail to include Harbor Park, noting that the Elizabeth River is the heart of Norfolk, and one of the major form-givers to downtown.

9) Provide the expected time schedule for the scope of work, including whether work has already begun (100 words or less)

SCOPE	SCHEDULE
Task 1: Phase 1 ESA for Elizabeth River Land Co.	COMPLETED 4/8/2003
Task 2: Phase 2 ESA for Elizabeth River Land Co	COMPLETED 6/13/2003
Task 3: Phase 1 ESA for Haynesworth Properties	COMPLETED 9/5/2007
Task 4: Haynesworth Property Purchase	COMPLETED 9/7/2007
Task 5: Asbestos Inspection Report – Boathouse Pavilion	COMPLETED 9/26/2008
Task 6: Boathouse Pavilion Emergency Demolition	COMPLETED 12/16/2011
Task 7: Asbestos survey - former Hampton Roads Leasing	Within five weeks of Notice to Proceed
Task 8: Phase 1 ESA for 36-acre Harbor Park and Shoreline	Within five weeks of Notice to Proceed
Task 9: Phase 2 ESA for Harbor Park and Shoreline as recommended; Phase 2 ESA as recommended for Haynesworth Properties	Within ten weeks of Phase 1 ESA completion

~~10) Provide the budget for the project or phase of work broken down by major category, including costs and sources of funds – including the proposed VBAF Grant and the Local Match – and any invoices for expenditures already made (200 words or less) (attach additional documentation as necessary)~~

TASK	VBAF Grant	Local Match
Task 1: Phase 1 ESA for Elizabeth River Land Co. COMPLETED 4/8/2003	n/a	n/a
Task 2: Phase 2 ESA for Elizabeth River Land Co COMPLETED 6/13/2003	n/a	n/a
Task 3: Phase 1 ESA for Haynesworth Properties COMPLETED 9/5/2007		\$4,200.00
Task 4: Haynesworth Property Purchase COMPLETED 9/7/2007		\$471,150.00
Task 5: Asbestos Inspection Report – Boathouse Pavilion COMPLETED 9/26/2008		\$6,404.50
Task 6: Boathouse Pavilion Emergency Demolition COMPETED 12/16/2011		\$104,000.00
Task 7: Asbestos Survey of Former Hampton Roads Leasing Facility	\$3,120.00	
Task 8: Phase 1 ESA for 36-acre Harbor Park and Shoreline	\$3,800.00	
Task 9: Phase 2 ESA for Harbor Park and Shoreline as recommended AND Phase 2 ESA as recommended for Haynesworth Properties	\$43,080.00	
TOTAL	\$50,000.00	\$585,754.50

11) Describe the type, amount, source and timing of the Local Match (100 words or less)

TYPE	AMOUNT	SOURCE	TIMING
Cash – General Fund Phase 1 ESA Haynesworth Properties	\$4,200	General Fund	9/5/2007
Cash – General Fund Purchase Haynesworth Properties	\$471,150	General Funds	9/7/2007
Cash – General Fund Boathouse Pavilion – Asbestos Inspection Report	\$6,404.50	General Fund	9/26/2008
Cash- General Fund Boathouse Pavilion - Demolition	\$99,500	General Fund	11/10/2011
Cash- General Fund Boathouse Pavilion – Demolition Change Order	\$4,500	General Fund	12/16/2011
TOTAL LOCAL MATCH	\$585,850.50	General Funds	Within past 10 years

Location of Project or Phase of Work

~~12) Briefly describe the locality in which the project will be located and indicate whether it is a high unemployment locality with an average unemployment above the average statewide unemployment rate and/or is a high poverty locality with an average poverty rate above the statewide average poverty rate. Information on such rates can be found on the www.virginiaallies.org website under the tab "Incentives."~~ (200 words or less)

Norfolk has a population of 246,394 residents and encompasses 66 square miles. As is typical of diverse urban centers, Norfolk exhibits individual poverty and unemployment rates that exceed state averages. The percent of Norfolk residents living at or beneath the federal (2013) poverty levels was 23.30 percent. This is significantly higher than the 2013 poverty rate of 11.70 percent for all Virginia residents. The unemployment rates as of December 2014 for Norfolk and the Commonwealth, respectively, were 6.40 percent and 5.20 percent.

The City of Norfolk includes neighboring communities characterized by chronic joblessness and underemployment that would benefit from the remediation and development of this under-utilized Brownfield site. Redeveloping this Brownfields area will provide recreational waterfront access to the neighboring community and catalyze economic development, spurring housing and employment opportunities for our diverse citizenry.

13) Describe the intended use of any existing infrastructure, including roads, railroads or spur lines, water, sewer, energy and broadband which will be used or reused by the potential redevelopment and is consistent with the redevelopment plan (100 words or less)

All existing infrastructure will continue to be used. Existing paved roads including Water Street and Park Avenue will be utilized and improved. Site infrastructure also includes the Tide light rail, Amtrak passenger train, access to I-264, ferry, bike/ped access and helicopter pad.

Utilities currently serving Harbor Park and the Amtrak Station, including water, wastewater, storm water, natural gas, compressed natural gas and electricity can be tapped from the right-of-way.

Future redevelopment including pedestrian/ bike path will improve access to the existing ball park, light rail station and regional Amtrak Station.

14) Summarize the suspected or known soil contamination, water contamination, asbestos or other environmental challenges at the property (100 words or less) (attach additional documentation as necessary)

The majority of the site has not been assessed. Phase 1 ESAs that have been done recommended subsurface investigation to assess soil/groundwater quality for petroleum hydrocarbons and hazardous substances, based on prior industrial use for 100+ years (metal foundries, machine shops and boiler shops) and suspected use of hazardous materials. The Phase 2 ESA of a ½ acre parcel found that relatively insignificant concentrations of adsorbed, vapor, and dissolved phase volatile, semi-volatile and metals have impacted the environmental integrity of the property, and concluded that additional investigation into soil/groundwater quality beneath the site was not warranted.

15) Indicate whether there are plans to enroll the property or the property is already enrolled in the VRP, describing its current status (100 words or less)

The property has not been enrolled in VRP. The Phase 2 ESA for the Elizabeth River Land Co. parcels resulted in a letter dated 9/12/2003 from DEQ stating "petroleum contamination levels on this site do not warrant further corrective action" and "Pollution complaint case (PC 03-5171) , relating to petroleum discharges, is now closed." Should environmental assessments, however, warrant VRP consideration, Norfolk will seek to voluntarily address contamination at the sites with recommendations from the Virginia Department of Environmental Quality, in order that the remediation is satisfactorily completed, so that DEQ can issue a "certification of satisfactory completion of remediation."

Thompson, Denise

From: McClintock, Robert <RMcClintock@yesvirginia.org>
Sent: Wednesday, September 30, 2015 1:18 PM
To: Thompson, Denise
Cc: Strano, Anne; Pennington, Bryan; Lombardi, Larry; McCarthy, Seamus; Meade (DEQ) Anderson; McNinch, Sandi; Hart, Kara; Loftus, John
Subject: RE: Brownfields grant application -Norfolk

Dear Denise,

Thank you for your recent application to the VBAF Program. After consideration by the VEDP and DEQ Review Team, we are prepared to award a VBAF Grant to the City of Norfolk in the amount of \$50,000 for the various due diligence studies outlined in your application (the asbestos survey for the former Hampton Roads Leasing Facility, the Phase I ESA for 36 acres in the Harbor Park and Shoreline area, a Phase II ESA for the Harbor Park and shoreline area, and a Phase II ESA for the Haynesworth Properties on Water Street.)

Our view is that these activities will certainly help clear up uncertainties which may exist on these properties and help lead to future overall shoreline redevelopment and key pedestrian connections for the area.

Recognizing you sent a host of exhibits and attachments with your application, we nevertheless request you send a specific aerial photo(s) which would show the outline of the exact properties which would be slated for the ESA studies being performed (please show the 36 acres of Harbor Park and the shoreline boundaries; and the ½ acre Haynesworth Properties, and since a good portion of the match was the site of the Boathouse Pavilion Property, please outline that location as well.)

Ms. Kara Hart, VEDP's Assistant Legal Counsel will soon be in contact with you with a template draft of the VBAF Performance Agreement which will need to be executed in connection with this project.

This is an important project and positions the City's waterfront for some exciting redevelopment opportunities. We are most pleased to be able to partner with you. Please let us know if you have any questions.

Sincerely,

Rob McClintock

Vice President, Research
Virginia Economic Development Partnership
rmcclintock@yesvirginia.org
804.545.5772

From: Thompson, Denise [mailto:Denise.Thompson@norfolk.gov]
Sent: Friday, September 04, 2015 9:32 AM
To: McClintock, Robert; Meade (DEQ) Anderson
Cc: Strano, Anne; Pennington, Bryan; Lombardi, Larry; McCarthy, Seamus
Subject: Brownfields grant application

Good morning,

Attached please find the City of Norfolk's application for Brownfields funding. We look forward to partnering with Yes Virginia and the Department of Environmental Quality to revitalize Harbor Park. I will forward our additional documentation to you in a separate email.

Warm regards,

Denise Thompson

Sent from my iPhone

Begin forwarded message:

From: "The UPS Store #5905" <store5905@theupsstore.com>

To: "Thompson, Denise" <Denise.Thompson@norfolk.gov>